

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

RUTH CARTER, etc.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 07 C 5218
	)	
NATIONAL RAILROAD PASSENGER	)	
CORPORATION, etc., et al.,	)	
	)	
Defendants.	)	

MEMORANDUM ORDER

National Railroad Passenger Corporation ("Amtrak") has just filed its Notice of Removal of this action from the Circuit Court of Cook County to this District Court, based on Amtrak's status as a corporation the majority of whose capital stock is owned by the United States--see 28 U.S.C. §1349.<sup>1</sup> On its face that provision supports removal, so that this Court is contemporaneously issuing its customary initial scheduling order--but this memorandum order is prompted by Amtrak's need to comply with another aspect of the removal statutes.

It is frankly difficult to understand why a personal injury Complaint filed last November (Notice ¶1 and Ex. A) was not served on Amtrak for fully eight months (see Notice ¶2). But unless and until different facts are adduced on that score, this Court will take that assertion in the Notice at face value. Even so, it would seem surprising if the only state court pleading in

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<sup>1</sup> All further references to Title 28's provisions will simply take the form "Section--."

that nine-month period has been the filing of the original Complaint, and Section 1446(a) expressly requires that every notice of removal be accompanied by "a copy of all process, pleadings and orders served upon such defendant or defendants in such action."

Accordingly Amtrak's counsel is ordered to file, on or before the initial status hearing date, either copies of all other state court documents that come within the quoted description or a statement that no such other documents are of record. That will facilitate this Court's conduct of the initial status hearing.

A handwritten signature in cursive script, reading "Milton I. Shadur".

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Milton I. Shadur  
Senior United States District Judge

Date: September 17, 2007